



PUBLIC NOTICE

Federal Communications Commission
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COMMENTS INVITED ON APPLICATION OF CHARTER FIBERLINK – MISSOURI, LLC TO DISCONTINUE DOMESTIC TELECOMMUNICATIONS SERVICES

WC Docket No. 14-242
Comp. Pol. File No. 1193

Comments Due: December 19, 2014

Section 214 Application

Applicant: Charter Fiberlink – Missouri, LLC

On October 27, 2014, Charter Fiberlink – Missouri, LLC (Charter Fiberlink or Applicant), located at **12405 Powerscourt Drive, St. Louis, Missouri 63131**, filed an application with the Federal Communications Commission (FCC or Commission) requesting authority, under section 214 of the Communications Act of 1934, as amended, 47 U.S.C. § 214, and section 63.71 of the Commission's rules, 47 C.F.R. § 63.71, to discontinue certain domestic telecommunications services in Missouri.

The application indicates that Charter Fiberlink offers circuit switched local exchange and domestic long distance services (Affected Services) in addition to international long distance services in parts of St. Charles County, Missouri (Affected Area). Charter Fiberlink explains that these services provide local, intrastate interexchange, interstate interexchange and international calling capability using circuit-switched technology. Charter Fiberlink states, however, that it has decided to cease offering voice calling capable services using circuit-switched technology in light of the carrier and customer advantages provided by interconnected VoIP services. Consequently, Charter Fiberlink indicates that it intends to discontinue offering the Affected Services to new and existing customers in the Affected Area beginning on January 5, 2015, or as soon thereafter as federal approval may be obtained.¹ Charter Fiberlink specifies that, on January 5, 2015, it intends to discontinue the ability of customers to place outbound calls other than 611 and 911 calls in the Affected Area, and that it plans to discontinue the Affected Services altogether on January 19, 2015.

According to Charter Fiberlink, the proposed discontinuance will affect approximately 1, 100 existing residential customers in the Affected Area. Charter Fiberlink nevertheless maintains that the public convenience and necessity will not be adversely affected by this proposal because comparable services are available from other providers in the market, including the incumbent, competitive local exchange and interexchange carriers, and Charter Fiberlink's affiliated interconnected VoIP service provider. Charter Fiberlink indicates that written notice of the proposed discontinuance was mailed to affected customers on October 23, 2014 and October 24, 2014. Charter Fiberlink asserts that it is considered non-dominant with respect to the services it proposes to discontinue.

¹ Discontinuance of international service is governed by section 63.19 of the Commission's rules. See 47 C.F.R. § 63.19.

In accordance with section 63.71(c) of the Commission's rules, Charter Fiberlink's application will be deemed to be granted automatically on the 31st day after the release date of this public notice, unless the Commission notifies Charter Fiberlink that the grant will not be automatically effective. In the application, Charter Fiberlink indicates that it plans to discontinue offering the Affected Services to new and existing customers by imposing certain restrictions on continued use in the Affected Area beginning on January 5, 2015, or as soon thereafter as federal approval may be obtained. Charter Fiberlink further indicates that it plans to discontinue the Affected Services altogether on January 19, 2015. Accordingly, pursuant to section 63.71(c) and the terms of Charter Fiberlink's application, absent further Commission action, Charter Fiberlink may cease to offer the Affected Services to new and existing customers by imposing restrictions on continued use in the Affected Area on or after **January 5, 2015**, in accordance with Charter Fiberlink's filed representations. In addition, pursuant to section 63.71(c) and the terms of Charter Fiberlink's application, absent further Commission action, Charter Fiberlink may discontinue the Affected Services in the Affected Area on or after **January 19, 2015**, in accordance with Charter Fiberlink's filed representations. The Commission normally will authorize proposed discontinuances of service unless it is shown that customers or other end users would be unable to receive service or a reasonable substitute from another carrier, or that the public convenience and necessity would be otherwise adversely affected.

Comments objecting to this application must be filed with the Commission on or before **December 19, 2014**. Such comments should refer to **WC Docket No. 14-242 and Comp. Pol. File No. 1193**. Comments should include specific information about the impact of this proposed discontinuance on the commenter, including any inability to acquire reasonable substitute service. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS) or by filing paper copies. *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998). Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>. Filers should follow the instructions provided on the Web site for submitting comments. Generally, only one copy of an electronic submission must be filed. In completing the transmittal screen, filers should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number.

Parties who choose to file by paper must file an original and one copy of each filing. Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission. All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th Street, S.W., Room TW-A325, Washington, D.C. 20554. The filing hours are Monday through Friday, 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building. Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743. U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, S.W., Washington, D.C. 20554.

Two copies of the comments should also be sent to the Competition Policy Division, Wireline Competition Bureau, Federal Communications Commission, 445 12th Street, S.W., Room 5-C140, Washington, D.C. 20554, Attention: Carmell Weathers. In addition, comments should be served upon the Applicant. Commenters are also requested to fax their comments to the FCC at (202) 418-1413, Attention: Carmell Weathers.

This proceeding is considered a “permit but disclose” proceeding for purposes of the Commission’s *ex parte* rules.² Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission’s *ex parte* rules.

People with Disabilities: To request materials in accessible formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (tty).

For further information, contact Carmell Weathers, (202) 418-2325 (voice), Carmell.Weathers@fcc.gov, or Rodney McDonald, (202) 418-7513 (voice), Rodney.McDonald@fcc.gov, of the Competition Policy Division, Wireline Competition Bureau. The tty number is (202) 418-0484. For further information on procedures regarding section 214 please visit http://www.fcc.gov/wcb/cpd/other_adjud.

– FCC –

² 47 C.F.R. §§ 1.1200 *et seq.*